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LETTER DATED 2 MARCH 2000 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a memorandum of the Government of the Federal Republic of Yugoslavia on the implementation of Security Council resolution 1244 (1999) of 10 June 1999 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
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Annex

Memorandum of the Government of the Federal Republic of Yugoslavia on the implementation of Security Council resolution 1244 (1999) of 10 June 1999

I. COMMUNICATIONS ADDRESSED BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA TO THE SECURITY COUNCIL, THE SECRETARY-GENERAL, KFOR, UNMIK AND OTHER INTERNATIONAL ORGANIZATIONS

1. Persistent warnings of violations of Security Council resolution 1244 (1999)

Since the adoption of UN SC resolution 1244 (1999) and the establishment of the international security (KFOR) and civil (UNMIK) presences in Kosovo and Metohija, under the auspices of the United Nations, the Government of the FR of Yugoslavia has continually warned the responsible representatives of the UN, primarily the Security Council, of the drastic violation of the key provisions of the resolution and insisted that all measures within its competencies be undertaken to implement it consistently.

- Memorandums of the Government of the FR of Yugoslavia: By its Memorandums of 27 July and 4 November 1999, containing detailed examples of flagrant violations of UN SC resolution 1244 (1999) and its related documents, the Yugoslav Government warned the Security Council of the worrisome developments in Kosovo and Metohija since the deployment of KFOR and UNMIK in the southern Serbian Province.

Citing clear examples of the shortcomings, i.e. of illegal conduct and direct violations of the key provisions of the resolution and its related documents by KFOR and UNMIK, the Government of the FR of Yugoslavia requested the Security Council, as an organ with primary responsibility, to undertake energetic and immediate measures towards a strict implementation of UN SC resolution 1244 (1999) and the Military-Technical Agreement (MTA) so that an end be put to a dramatic deterioration of the situation and that the normalization of the security situation, as well as full safety of person and property of the entire population in the Province be ensured.

- In more than 50 communications to the Security Council, the Government of the FR of Yugoslavia, pointed to the drastic examples of a non-compliance with, or the gross violations of, the mandate of KFOR and UNMIK, particularly in connection with the violation of the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija, as well as with the continuation of terror, ethnic cleansing and genocide of Albanian terrorists and separatists against the Serbs, Montenegrins, Roma, Turks, Goranci and other non-Albanians in the Province.

- Through its Committee for Cooperation with the UN Mission in Priština, the Yugoslav Government has forwarded more than 100 letters, protests and requests to the Head of UNMIK and the Commander of KFOR, relative to the implementation of their mandates, clearly established by UN SC resolution 1244 (1999).

2. Passive attitude of the Security Council and other bodies of the international community

- Despite its clear obligations under UN SC resolution 1244 (1999) and the related documents, so far the Security Council has failed to undertake measures to ensure its strict implementation, thus seriously undermining the authority of the United Nations and eroding the credibility in the readiness of the world Organization to fulfil its obligations.

- In view of the continuous and dramatic deterioration of the situation and drastic violations of basic human rights, as well as the destruction of historical and cultural monuments which are an integral part of the world cultural heritage, the Government of the FR of Yugoslavia has informed relevant international organizations engaged in Kosovo and Metohija (UNHCR, UNHCHR, UNESCO, ICRC, OSCE, EU, Council of Europe and others) in a timely and well-documented manner about the continued worsening of the situation in the Province and requested them to fulfil their share of responsibility under SC resolution 1244 (1999) and other relevant international legal instruments within their field of activity.

II SYSTEMATIC VIOLATIONS OF UN SECURITY COUNCIL RESOLUTION 1244 (1999) AND MILITARY-TECHNICAL AGREEMENT

1. Systematic violation of the sovereignty and territorial integrity of the FR of Yugoslavia and the mandate of the Security Council

a) UN SC resolution 1244 (1999) unequivocally confirms the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija (preambular para 10; subpara 8, Annex 2)

- Decisions of UNMIK and KFOR: Regulations of UN Secretary General Special Representative and Head of UNMIK Bernard Kouchner are not founded in the resolution and are aimed at severing all ties between Kosovo and Metohija and the Republic of Serbia and the FR of Yugoslavia, i.e. at completely separating the Province from the constitutional, legal, economic, monetary, financial, banking, customs, visa, administrative and other systems of the FR of Yugoslavia and the Republic of Serbia.

- Regulations and decisions of the UNSG Special Representative for Kosovo and Metohija systematically and directly undermine the State sovereignty of the FR of Yugoslavia in Kosovo and Metohija as a basic principle guaranteed by SC resolution 1244 (1999) and bring into question the legal basis and attributes of statehood of the State of Serbia and the

FR of Yugoslavia in the southern Serbian Province, as an integral part of the sovereign territory of the Republic of Serbia and of the FR of Yugoslavia.

- The UNSG Special Representative has, without consulting legal representatives of the Republic of Serbia and the FR of Yugoslavia, illegally established the so-called Interim Administration Council, a de facto Provincial "Government", composed exclusively of Albanians, mostly from the ranks of the terrorist so-called KLA and separatist Albanian political parties, representing an attempt to legalize the ethnic supremacy of Albanians, with a view to creating an ethnically pure Kosovo and Metohija.

- The developments in the Province confirm unequivocally that the claims of the Government of the FR of Yugoslavia to the effect that the UNMIK decision on the transformation of the terrorist KLA in an alleged civilian organization – the "Kosovo Protection Corps" - are justified. This decision is not only illegal as it is unfounded in SC resolution 1244 (1999) and the related documents. It is also one of the main generators of the exacerbation of the situation and the crisis in the Province. The attack of well-armed members of the so-called Kosovo Protection Corps on a patrol of the Republican Ministry of the Interior near Bujanovac, outside the administrative area of Kosovo and Metohija, confirms unequivocally that the so-called Kosovo Protection Corps is not a "civilian" creation - its members are re-cycled terrorists of the so-called KLA, whose combat structure and command personnel have been fully retained and create the core of some future Albanian army in Kosovo and Metohija, as publicly stated by its "commander", the notorious terrorist Agim Cheku.

In that connection, the Government of the FR of Yugoslavia recalls its clear position presented in the letter to the President of the Security Council of 22 September 1999 in which it is stated that a failure to demilitarize the so-called KLA and the establishment of the "Kosovo Protection Corps" were a charade and a manipulation.

- Building of military bases: The Government of the FR of Yugoslavia repudiates most strongly the building of KFOR military bases in a part of the sovereign territory of the FR of Yugoslavia, without its approval. It represents the most flagrant violation of its sovereignty and the provisions of UN SC resolution 1244 (1999), as well as the existing laws of the Republic of Serbia and the FR of Yugoslavia. The building of foreign bases without the approval of the receiving State is contrary to the character and spirit of peace missions under the auspices of the United Nations and represents a dangerous precedent, contrary to the fundamental principles and purposes of the United Nations.

- Military exercises of NATO/KFOR: Possible military exercises of NATO and KFOR in the Province planned, as reported by the international media, for March 2000, represent the most flagrant threat to the territorial integrity and sovereignty of the FR of Yugoslavia and are a function of direct support to the Albanian separatism and terrorism.

Such provocative conduct on the part of KFOR represents a factor of serious destabilization of the region and is a direct threat to peace and stability in Europe.

The UN Security Council is obliged to prevent any act of violation of UN SC resolution 1244 (1999) and to eliminate a source of instability in the region.

- Representation of foreign countries: Countenance of the establishment of foreign missions in the Province, without consultations and approval of the Government of the FR of Yugoslavia, represents a gross violation of the principle of the sovereignty and territorial integrity of the FR of Yugoslavia. Additionally, the draft regulation on the "Immunities and Privileges of the Liaison Offices of Foreign Governments in Kosovo" of the UNSG Special Representative is totally unacceptable as it grossly violates the principles of the UN Charter, the provisions of the Vienna conventions on diplomatic and consular relations and the Convention on the Privileges and Immunities of the United Nations, as well as the prevalent international practice.

- The sovereignty and territorial integrity of the FR of Yugoslavia are inviolable: all the decisions and conduct of KFOR and UNMIK and those of the UN SG Special Representative and head of UNMIK in particular disregarding or violating the principle of the sovereignty and territorial integrity of the FR of Yugoslavia, as well as all measures that have been taken or have failed to be taken that are contrary to UN SC resolution 1244 (1999) or MTA, or represent an attempt at their revision will be considered by the FR of Yugoslavia illegal and without any legal effect or binding on the FR of Yugoslavia or its organs in any way.

The FR of Yugoslavia warns that it has never ceded or intends to cede the sovereignty over any part of its territory and resolutely rejects the tactics of manipulating or diverting the attention from the alliance of UNMIK and KFOR with the terrorist so-called KLA. In particular, it repudiates all moves in line with faits accomplis.

2. Massive violations of human rights

Terror and violence[1]: Albanian terror and violence, ethnic cleansing and genocide against non-Albanians, primarily the Serbs and Montenegrins, as well as against the Roma, Muslims, Turks, Goranci and others, the destruction of their homes, usurpation and destruction of private and State-owned property and rampant crime and chaos in the Province continue to take place despite the presence of almost 50,000 armed members of KFOR and about 2,200 UNMIK policemen. They provide convincing evidence that KFOR and UNMIK do not fulfil their basic obligations from their mandate, particularly in terms of guaranteeing full

1. Detailed overview of terrorist activities of Albanian terrorists is given in the appendix.

personal and property security and safety to all residents in the Province, primarily the Serbs and Montenegrins who have been exposed to systematic ethnic cleansing, terror, killings and abductions.

The Government of the FR of Yugoslavia insists that KFOR and UNMIK fulfil without delay all their obligations and create as soon as possible the conditions for a safe return of all expelled persons to Kosovo and Metohija.

Ethnic cleansing: Since the deployment of KFOR and UNMIK, more than 350,000 Serbs, Montenegrins, Roma, Muslims, Turks, Goranci and other non-Albanians were forcibly driven out of the Province. Terrorists are increasingly targeting Albanians, the loyal citizens of the Republic of Serbia and the FR of Yugoslavia, who refuse to obey the demands of Albanian terrorists and criminals.

- It is worrying that during the course of last week alone, more than 16.000 Serbs, Montenegrins, Roma, Muslims, Turks, Goranci and other non-Albanians were driven out of the Province.

The latest instances of intimidation of Serbs in Kosovska Mitrovica, in which KFOR played a direct part, are yet another example of the tested policy of pressure being brought to bear on Serbs with a view to completing the ethnic cleansing of the Province.

- Terrorism: In the period from 12 June 1999 through 27 February 2000, there was a total of 4,354 terrorist attacks (4,121 against Serbs and Montenegrins); 910 persons (811 Serbs and Montenegrins) were killed, 802 (751 Serbs and Montenegrins) were wounded; and 821 (757 Serbs and Montenegrins) were abducted. More than 50,000 homes, mostly those belonging to Serbs, Montenegrins and Roma, were destroyed, burned down or severely damaged.

- The latest serious crimes: The following crimes are particularly remarkable by their ruthlessness ant motivation: the shelling of the Serbian village of Goraždevac (on 7 January); the brutal murders of the Muslim Skenderi family of four in Prizren (on 11 January); the murders of three Serbs who returned to the village Pasjane (on 16 January); the rape and murder of an 11-year old Albanian girl from Vitina by a KFOR soldier (on 11 January); a RPG attack on a UNHCR bus (on 2 February) in which two Serbs died and several other sustained injuries; a hand grenade attack on the cafe "Belami" in Kosovska Mitrovica (on 3 February) in which 30 Serbs were injured, 8 of them seriously; armed attacks against the Serbian villages of Banje, Svinjare and Suvo Grlo (on 5 February), Lipljan and Bresje (on 7 February); demolition of the memorial to the Serbian national hero Miloš Obilić in a small town also called Obilić (on 7 February); the murder of doctor Josif Vasić and the wounding of doctor Vjenceslav Grozdanović from Gnjilane (on 26 February).

- Terrorists attacks outside the Province: In the belief that the destabilization of the situation on the widest possible territory will help them achieve their separatist goals,

Albanian terrorists are increasingly launching attacks on civilians and law enforcement officials outside the administrative boundaries of the Province. The most recent instance of spill-over of terrorism beyond Kosovo and Metohija is the attack on a Serbian police patrol on the road between Bujanovac and Gnjilane on 26 February 2000. Police major Slaviša Dimitrijević was killed in the attack and three other police officers were wounded. One of the terrorists by the name of Fatmir Ibiši was killed. He was a member of the so-called Kosovo Protection Corps (KPC), which is a clear indication that the so-called KPC has continued to act as a legalized so-called KLA.

- "Labour camps" for Serbs: Several hundred abducted Serbian civilians have been imprisoned and are held in "labour camps" run by the terrorist so-called KLA in Kosovo and Metohija. They have been subjected to an extremely cruel and inhuman treatment in these "labour camps" located in the village of Matičane, 15 kilometres away from Priština, the village of Dušanovo near Prizren and in Drenica. Access to these people is strictly forbidden, even to ICRC representatives.

In addition, another 350 Serbs, abducted in Kosovo and Metohija, are in the Republic of Albania.

The international forces in Kosovo and Metohija are aware of the existence of those prisons for the abducted Serbs, but no steps or actions have been taken to release them despite the fact that it represents the most inhuman violation of individual human rights and freedoms.

- Destruction of cultural and historic sites: The genocidal crusade against Orthodox Christian shrines and holy places at the time when two thousand years of Christianity is observed, resulted in the destruction and burning of, or extensive damage to, 84 churches and monasteries. The burning and destruction of the churches, monasteries and cultural and historic sites are also aimed at rooting out the historic traces of Serbian culture and statehood, the purpose of which is to deny the State sovereignty and territorial integrity of the Federal Republic of Yugoslavia over Kosovo and Metohija in outright violation of UN Security Council resolution 1244 (1999) and its related documents.

- Discrimination against Serbs and a cultural and spiritual genocide of Serbs is manifested in particular through the closure of universities, schools, theatres and media outlets in the Serbian language on the pretext of alleged efforts to keep the multi-ethnic, multi-cultural and multi-religious structures in the Province. The fact that this is done in the areas were Serbs succeeded in maintaining their presence in a larger number is a clear indication that KFOR and UNMIK directly encourage the aspirations of Kosovo Albanian terrorists to break up the ethnically homogeneous Serbian communities and to openly pressure Serbs into leaving their ancestral homes.

- The policy of double standards applied by UNMIK has deprived not only Serbs but also Roma, Muslims, Turks and Goranci of their jobs in favour of Albanians which constitutes a gross violation of the principle of equality and multi-ethnicity.

- KFOR and UNMIK bear the sole responsibility for the massive violation of human rights in the Province, lawlessness, chaos and the breaches of the provisions of Security Council resolution 1244 (1999) relating to the preservation of the multi-ethnic, multi-religious and multi-cultural character of the Province and have thus become direct accomplices in ethnic cleansing and genocide.

3. Disarming of the terrorist so-called KLA

- Daily terror, violence and killings and the destruction of Serbian homes and settlements, cafes and other places frequented by Serbs in massive numbers in the remaining Serbian enclaves, as well as attacks on civilians and Yugoslav security forces beyond the boundaries of the Province, even with the use of heavy ordnance, testify to the fact that the terrorist so-called KLA has not been disarmed.

- The leaders of these terrorist/separatist formations, Hashim Thaqi, Agim Cheku and others, have openly stated that one of their separatist goals is to establish an Albanian army in Kosovo and Metohija with the so-called KPC at its core, which proves that the so-called KPC would amount to just a "transformed" terrorist so-called KLA.

The Government of the FR of Yugoslavia recalls once again its position, expressed in the letter of 22 September 1999 to the President of the Security Council, that the alleged transformation of the terrorist so-called KLA into the so-called "Kosovo Protection Corps" was a charade and a manipulation, meant to avoid the obligation of a genuine demilitarization and disarming of this illegal terrorist organization, increasingly admitted openly even by the biased media and some politicians in the West.

- KFOR and UNMIK and UNSG Special Representative, in particular, bear full responsibility for the failure to disarm the so-called KLA and for the creation, with their blessing, of an illegal Albanian armed formation, composed mostly of proven Albanian, as well as of international terrorists recruited in neighbouring and other States known for sponsoring international terrorism. According to some information, Islamic extremists from Chechnya are moving into Kosovo and Metohija in large numbers where they enjoy the protection of KFOR and UNMIK.

Criminalization of the Province: Direct evidence of the failure of KFOR and UNMIK to fulfil their mandates strictly, primarily with respect to securing the international borders of the FR of Yugoslavia with Albania and Macedonia, is their patronizing attitude towards Albanian terrorists and separatists who enter the FR of Yugoslavia unhindered, which is the main source of general criminalization and chaos in the Province.

- Due to the unprotected border, in flagrant violation of Security Council resolution 1244 (1999), KFOR and UNMIK have allowed illegal entry into the Province to several hundred thousand criminals and looters from Albania, aimed at spilling over the chaos from Albania into Kosovo and Metohija. Kosovo and Metohija have thus been turned into a stronghold of the organized international crime, terrorism, narco-mafia, illicit arms trade, white slavery, juvenile crime and prostitution of Central and Western Europe, with a view to criminilazing and destabilizating Europe and obstructing the ongoing integration processes.

4. Civil registration and elections in Kosovo and Metohija

- Against the background of continuing terror, the final stages of the ethnic cleansing of Serbs and other non-Albanians in the Province, the absence of conditions for the return of over 350,000 expellees and the presence of several hundreds of thousands of illegal foreign citizens in Kosovo and Metohija, it is evident that there do not exist even the basic conditions for civil registration in the context of the preparations for the elections to be held shortly. Turning a blind eye to these facts and the insistence of OSCE and UNMIK to proceed to civil registration in the circumstances described represent an attempt to institute the policy of fait accompli and to encourage the further destabilization of the Province along the lines of achieving the separatist goals of Albanian extremists.

The Government of the FR of Yugoslavia strongly rejects any attempt to hold early elections in the Province prior to the achievement of basic conditions, i.e. the consolidation of peace and stability on the basis of Security Council resolution 1244 (1999) including, first and foremost, a free and safe return of all expelled Serbs and other non-Albanians and the reaching, with the participation of the Government of the FR of Yugoslavia, of the basic parametres for the political settlement in Kosovo and Metohija

5. Delaying the return of Yugoslav Army (VJ) and police (MUP)

- In a situation in which KFOR and UNMIK do not carry out their mandate of guaranteeing full personal safety and the safety of property to all the population and of providing conditions for a safe and unimpeded return of all displaced persons and refugees, undue delay in the implementation of the provisions of the Military-Technical Agreement relating to the return of VJ and MUP (UNSCR 1244, op. para 4; Annex 2, subpara 6 and 10; MTA paragraph 4) provides additional encouragement to Albanian terrorists to continue their daily terror against Serbs and other non-Albanians aimed at completing the ethnic cleansing of the Province.

The Yugoslav Government insists that this obligation is fulfilled immediately and without any conditions.

6. Responsibility of the United Nations Security Council

The Security Council, as guarantor of the implementation of its resolution 1244 (1999), is responsible for strict compliance with all provisions of the resolution and the related documents, primarily those reaffirming the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory, as well as of the respect of general standards in the carrying out of UN peace-keeping operations, primarily the universal principles of the United Nations Charter, International Covenants on human rights et al. This responsibility includes the obligation of the Council to prevent any departure from, delaying of the implementation, or an arbitrary interpretation of the provisions of its resolution 1244 (1999) and the related documents. Only the Security Council has the authority to give a binding interpretation of the provisions of its resolutions. The Security Council has failed to take adequate measures to arrest the continuation of gross violations of the provisions of the resolution and the related documents by KFOR and UNMIK, which brought about worrisome developments in the Province, and put an end to those dangerous developments. This confirms that the Security Council has not fulfilled its obligations and therefore it is held directly accountable for the detrimental consequences caused by such conduct.

Proceeding from the fact that it has fulfilled all its obligations under Security Council resolution 1244 (1999) and the related documents, the Government of the FR of Yugoslavia insists that all other responsible factors primarily the Security Council as the most responsible organ, carry out immediately and unconditionally their share of responsibility

III ASSESSMENT OF CURRENT DEVELOPMENT OF THE SITUATION IN KOSOVO AND METOHIJA

1. Overall performance of KFOR and UNMIK

The results of the nine-month international security (KFOR) and civil (UNMIK) presences in the southern Serbian Province are catastrophic. The extremely difficult situation is characterized by wide-spread crime and terror, chaos and lawlessness, genocide and the ethnic cleansing of Serbs and other non-Albanians, the destruction of their private property, the looting and usurpation of the property of the State and of private firms, carried out by armed Albanian extremists, particularly by the members of the terrorist so-called KLA.

- Multi-ethnic Kosovo and Metohija - hypocrisy of KFOR and UNMIK: Notwithstanding the verbal pledges of KFOR and UNMIK to preserve multi-ethnic character of the Province, the activities and behaviour of the international presences in Kosovo and Metohija are quite opposite. The fact that over 350 000 residents of the Province, 270 000 of them Serbs and Montenegrins, have been forcibly driven out of Kosovo and Metohija

in the presence, under the auspices and within the mandate of the international force is a heavy blow to the credit and reputation of the world Organization.

- Ethnic cleansing of Serbs and Montenegrins from the preponderant part of the Province has been already accomplished. The remaining isolated Serbian enclaves, Kosovska Mitrovica as the largest among them, in particular, have now become the target of Albanian terrorists and the scene of unreasonable actions of KFOR and UNMIK which further inflame the situation.

The insistence of KFOR and UNMIK to establish multi-ethnic communities primarily in the remaining Serbian enclaves is an exercise in callousness and cynicism as, at the same time, no mention is made at all of establishing such communities in Priština, for example, where about 40 000 Serbs and Montenegrins used to live before the arrival of KFOR and UNMIK and where less than 200 of them remain now. No mention is made of the situation in Prizren, Peć, Orahovac, Djakovica, Glogovac and many other towns, villages and areas in Kosovo and Metohija, like Kosovsko Pomoravlje, either, also completely ethnically cleansed of Serbs and Montenegrins, while the question of their return to their homes is not mentioned even in the casual talk of responsible KFOR and UNMIK representatives.

The search and the brutal ransacking of the Serbian houses in Kosovska Mitrovica carried out by the members of American and German contingents of KFOR, coinciding with the unhampered arrival of thousands of Albanian extremists led by the terrorists of the so-called KLA to Kosovska Mitrovica to threaten and intimidate the remaining Serbs, provide eloquent proof of the cooperation and collusion of KFOR and UNMIK with Albanian terrorists, as well as of their active involvement in realizing the concept of changing the borders in the Balkans and creating the so-called Greater Albania. At the same time, this is the latest confirmation of the time-tested policy of the satanization of Serbs, aimed at justifying the real goals - the completion of the ethnic cleansing of Serbs in the Province and the concealment of the fact that the members of the so-called KLA have been neither demilitarized nor disarmed. This is reflected in the OSCE report of 21 February in which it condemned the operation of house searching and pointed out that, in conducting them, KFOR had violated the provisions of the International Covenant on Civil and Political Rights and stated that the action was illegal of which the Head of UNMIK was also warned.

- Non-compliance and gross violations of the basic provisions of Security Council resolution 1244 (1999) and the related documents by KFOR and UNMIK have brought about a dramatic security and general situation in the Province, in particular the continuation of Albanian terrorism, violence and ethnic cleansing of Serbs and other non-Albanians and the persistence of crime and lawlessness in the Province on a massive scale. KFOR and UNMIK have thus become accomplices in the most serious crimes committed against Serbs and other non-Albanians and are responsible for the absence of basic security for Serbs and other non-Albanians in the Province.

The tactics of hoodwinking the world public and of diverting the attention from the fiasco of the international mission under the auspices of the United Nations is the order of the day in Kosovo and Metohija. Against the backdrop of the effective completion of the ethnic cleansing of Serbs and non-Albanians and the destruction of all the vestiges of their presence and existence, the drive to hold the few remaining Serbs accountable for the situation is not only a sign of cynicism, but reveals also the outright protection accorded to terrorists and separatists, organized international crime and amounts to a new form of aggression against the FR of Yugoslavia, characterized by the alliance between NATO and the terrorist so-called KLA. There is no doubt that these activities are aimed at destabilizing the entire region of South-East Europe. Kosovo and Metohija is thus transformed into the centre of prolonged destabilization of Europe, while the entire region is turned into the centre of the concentration and spread of international terrorism which has deeply penetrated the fabric of Europe and, through Kosovo and Metohija, is to spill over and threaten the processes of integration.

The continued deterioration of the overall situation in the Province is in line with the efforts to provoke artificially prolonged destabilization in the region in order to justify the presence of NATO and to burnish its prestige and authority, seriously dented by its illegal aggression against the FR of Yugoslavia.

The statements of KFOR and UNMIK representatives to the effect that the international mission in the Province has been successful are therefore tendentious and unacceptable as it is clear that they are not based on the situation on the ground and are conducive to the conclusion that they are based on the assessment of some other goals, different from those set forth in Security Council resolution 1244 and the related documents. The contention that the absolute number of crimes has diminished is unacceptable as the diminution is in fact the consequence of the continued reduction of the number of Serbs and other non-Albanians, the victims of Albanian terrorists.

- Cooperation of KFOR and UNMIK with separatists and terrorists in threatening the sovereignty and territorial integrity of a sovereign Member State of the United Nations, the systematic violation of the Charter of the United Nations, international law, Security Council resolution 1244 and Military-Technical Agreement, instigates not only the security and legal chaos in the Province but undermines dangerously the security foundations in the entire region. Such a behaviour of international forces under the auspices of the Untied Nations is without a precedent in the history of United Nations peace-keeping missions, whereby the reputation and authority of the United Nations are seriously shattered.

- Strict implementation of the resolution and the related documents is the main precondition for the normalization of the overall situation in the Province and it is the obligations of all to unconditionally observe them.

3. The imperative to normalize the situation in Kosovo and Metohija

All parametres confirm unequivocally that the developments in the Province are moving towards a further deterioration of the overall situation, its even more dangerous complication fraught with possible far-reaching adverse consequences for the entire region. By the gross violation of the provisions of the resolution and by their overall conduct, KFOR and UNMIK have confirmed in no uncertain terms that the presence of international forces under the auspices of the United Nations in Kosovo and Metohija is a complete fiasco. The primary responsibility for this development lies with the United Nations Security Council since it failed to take necessary and energetic measures which it was bound to take under the resolution and to ensure a strict implementation of the provisions of the resolution and the related documents.

Therefore, it is necessary to put an end as soon as possible to this shameless mission of the so-called international community in Kosovo and Metohija as it is obvious that it was not able, or did not want, to implement the mandate entrusted it by Security Council resolution 1244 (1999) and to let the competent authorities of the FR of Yugoslavia and Republic of Serbia restore in the Province: the peace and order, the rule of law and legality; personal protection and the protection of the property of all its residents irrespective of their ethnic origin or religion, and to ensure the normal functioning of all commercial entities and local authorities and normalize the entire life in the Province, as a necessary prerequisite for launching a political dialogue between the representatives of the State and ethnic communities in Kosovo and Metohija about the parameters of autonomy and self-governance in the Province.

IV REQUESTS OF THE GOVERNMENT OF THE FR OF YUGOSLAVIA

Proceeding from its sovereign rights, guaranteed by Security Council resolution 1244 (1999), the Ahtisaari-Chernomyrdin document and the Military-Technical Agreement, the Government of the FR of Yugoslavia requests again:

- that the Security Council take urgently energetic measures to ensure strict respect for all provisions of the resolution and the relevant documents, primarily those confirming the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory;

In this context, the Yugoslav Government insists in particular:

- that UNMIK and KFOR unconditionally and without delay respect and implement the mandate set forth in the resolution and the relevant documents;

- that the sovereignty and territorial integrity of the FR of Yugoslavia and the Republic of Serbia be strictly respected in Kosovo and Metohija and that, in that context, full normalization of the functioning of the customs and border regime, public services (PTT, the power supply system, railways and the banking system) be ensured in accordance with the laws of the Republic of Serbia and the FR of Yugoslavia and the principles of market economy with the aim of restoring the ties of the Province with the Republic of Serbia and the FR of Yugoslavia which have been artificially broken and that the unconditional return of Yugoslav border authorities, customs and passport control to the State border of the FR of Yugoslavia with Albania and Macedonia be guaranteed;

- that all regulations and other decisions of UNMIK and KFOR violating the territorial integrity and sovereignty of the FR of Yugoslavia and the Republic of Serbia be revoked and that the respect for the laws in force of the FR of Yugoslavia and the Republic of Serbia be ensured on their entire territory;

- that all illegally seized State, public, socially-owned and private property, primarily PTT, the power supply system, railways, banks, mines, factories, firms, be returned to legal owners.

- that a safe environment for all citizens and their full personal safety and safety of their property be immediately ensured;

- that energetic measures be taken to put an end to the terror against, and the intimidation and harassment of, Serbian, Roma, Muslim, Goranci, Turk and other non-Albanian ethnic communities and to halt the use of force resulting in the violation of their fundamental human rights and to end immediately the ethnic cleansing of the Province from its non-Albanians;

- that a free and safe return to the Province be ensured to more than 350,000 Serbs, Montenegrins, Roma, Goranci, Turks, Muslims, Egyptians and others expelled in the campaign of ethnic cleansing after the deployment of UNMIK and KFOR in the Province;

- that several hundred thousand citizens of Albania who have illegally entered the Province be expelled immediately;

- that the combat structures of the terrorist so-called KLA, as well as other armed Albanian gangs, be disbanded and all their members disarmed, that all their weapons be destroyed as they constitute the main cause of the lack of security in the Province and of its general criminalization and, in particular, that the document on the "transformation" of the so-called KLA be cancelled;

- that an urgent and unhampered return of the members of VJ and MUP to Kosovo and Metohija be enabled in accordance with the MTA in the interest of normalizing security and preventing further massive expulsions of the remaining Serbs and other non-Albanians from the Province;

- that full freedom of movement in the entire territory of the Province be ensured and that all existing ghettos, detention camps, blockades of towns and villages, such as Kosovska Mitrovica, Orahovac, Gnjilane and others, where the remaining Serbs now live, be removed;

- that unimpeded delivery of humanitarian assistance be ensured;

- that the normal functioning of education, respect for the autonomy of the university and other educational and cultural institutions and the media, especially those in the Serbian language and wherever Serbs are predominant (Kosovska Mitrovica, etc.) be ensured;

- that full and permanent protection of the remaining cultural and historic monuments, medieval monasteries, churches and cemeteries be ensured;

- that the leaders of the so-called KLA, primarily Hashim Thaqi and Agim Cheku, as well as all other perpetrators of serious crimes, genocide, ethnic cleansing and terrorist acts against non-Albanians, their private property and the State and public property and against cultural and historic monuments, educational, health, commercial and other institutions and facilities, be called to account and be punished exemplarily and without delay;

- that a comprehensive agreement between the FR of Yugoslavia and the United Nations on the regulation of the status of the international presences under the auspices of the United Nations in Kosovo and Metohija and on other relevant issues be concluded without further delay.

Belgrade, 1 March 2000

Appendix

OVERVIEW

of terrorist and other acts of violence and of certain violations of Security Council resolution 1244 (1999) in the Province of Kosovo and Metohija since the arrival of KFOR and UNMIK in the period from 12 June 1999 to 27 February 2000

(1) Number of terrorist attacks: 4,354

4,121 committed against Serbs and Montenegrins, 96 against Albanians and 137 against Roma, Muslims, Goranci, Turks and members of other nationalities.

(2) Number of killed persons: 910

811 Serbs and Montenegrins, 71 Albanians and 28 members of other nationalities.

(3) Number of abducted and missing persons: 821

757 Serbs and Montenegrins, 37 Albanians and 27 members of other nationalities.
The fate of 716 persons is unknown; 76 abducted persons were killed, 4 persons escaped while 25 were released.

(4) The latest brutal crimes: shelling of the Serbian village of Goraždevac (7 January); brutal murder of the Skenderis, a four member Muslim family, in Prizren (11 January); murder of three Serbian refugees in the village of Pasjane (16 January); rape and killing of an 11-year old Albanian girl by a KFOR member near Vitina (11 January); RPG attack on a UNHCR bus (2 February) in which two Serbs were killed and several wounded; hand-grenade attack on "Belami" cafe in Kosovska Mitrovica (3 February) in which 30 Serbs were wounded, several seriously; attack on the building of the Committee on Human Rights in downtown Obilić (3 February); armed attacks on the villages of Banje, Svinjare and Suvo Grlo (5 February), Lipljan and Bresje (7 February); destruction of a monument to the Serbian national hero Miloš Obilić in the town named after him (7 February); terrorist attack on a police patrol in the vicinity of the village of Končulj near Bujanovac, in which one police officer was killed and three police officers wounded; killing of Dr. Josif Vasić who was a member of the Serbian National Council in the centre of Gnjilane (26 February).

(5) New forms of terror against Serbs and other non-Albanians:

KFOR security actions against Serbs and other non-Albanians are increasingly carried out with the use of force, ever more frequent harassment and physical violence, including damage to Serbian property. Drastic incidents occurred in Kosovska Mitrovica (20-25 February), as well as in the villages of Mogila (on 25 February), in which Serbian houses were searched by the use of most brutal physical violence, Draganovac (Gnjilane municipality) and Miolice

(Leposavić municipality). The seraches were conducted by KFOR together with the terrorists of the so-called KLA, wearing the uniforms of the international security force, which proves the existence of co-ordinated activities of KFOR and Albanian terrorists.

(6) Situation in Kosovska Mitrovica:

Since the deployment of KFOR and UNMIK in Kosovo and Metohija, the security situation in and around Kosovska Mitrovica has been particularly difficult and is characterized by:

- the looting and destruction of 2,365 homes belonging to Serbs, Montengrins and other non-Albanians (1,200 in Kosovska Mitrovica; 1,060 in Vučitrn; and 105 in Srbica);
- the expulsion of 700 Serbian families from their apartments (500 in Kosovska Mitrovica; 150 in Vučitrn; and 50 in Srbica);
- the looting and destruction of the property of the following companies:

1. In Kosovska Mitrovica: Socially-owned companies "Kosovo-Sirovina", DP "Betonjerka", "Lux", "AMD", "Kosmet-Prevoz", "Trans-Kosovo", Duvanska, Minel, local farm cooperative, Hortikultura, Mitrovčanka, DES, "Ibar-Rožaje" warehouse, water supply company "Vodovod", printing company "Progres", public company "Elektro-Kosovo", PTT and a larger number of bars and cafes owned by non-Albanians.

2. In Vučitrn: Socially-owned companies "Sartid", "Vučitrn-Prevoz", "Ratar", local farm cooperative, paints and coatings factory "Ekstra", construction company "Kosovo", public utilities company "Sitnica", private company "Čičavica", Employment Office, local community centre, Town Hall of Vučitrn, Building Land Fund, local department store, Auditing Office building, Jugobanka, primary and secondary schools, Jugopetrol, Beopetrol, public company "Elekro-Kosovo", PTT.

3. In Srbica: Hunting munitions factory, plastics factory, socially-owned company "Budućnost", local farm cooperative, public utilities company, socially-owned company "Dijamant-produkt", local community centre, local self-management community centre, socially-owned company "Žitopromet" and its silos.

(7) Prisons and labour camps for abducted Serbs run by the so-called "KLA":

The abducted Serbian civilians are detained by the so-called "KLA" in the labour camps located in the village of Matičane and in the wider area of Prizren and in Drenica.
The prisons run by the so-called "KLA" for Serbs, Montenegrins and other residents who are not supportive of Albanian terrorists are also situated around the village of Brod, Dragaš municipality, and along the Djakovica road towards the village of Junik, Dečani municipality.

(8) Number of arbitrarily arrested persons by KFOR and UNMIK: 185

Arrested Serbs are detained in prisons in Priština, Prizren, Sojevo near Uroševac, Kosovska Mitrovica, Gnjilane, Lipljan and Klokot Banja.

They have been arrested without any explanation or charges, only on the ground of information provided by the Albanians, most frequently by the members of the terrorist so-called "KLA".

(9) Recent killings of Albanians loyal to the FR of Yugoslavia:

The terrorist so-called "KLA" has stepped up execution of Albanians who do not support it, particularly in the areas of Priština, Podujevo and Peć. The most drastic examples are: the murder of Hejdi Sejdiu, a member of the Provincial Committee of the Serbian Socialist Party, in his hometown of Uroševac in front of his wife and three children (on 10 February), the killing of Danuš Januzi in Vitina (on 10 February); the massacre of Tahir Bekim, who was abducted and later killed by the terrorists of the so-called "KLA" (parts of his mutilated body were found on 24 February).
In addition to Serbs, the terrorist so-called "KLA" rounds up also Albanians loyal to the State of the FR of Yugoslavia and detains them in its prison camps (around the village of Brod, Dragaš municipality).

(10) Number of wounded persons: 802
751 Serbs and Montenegrins, 20 Albanians and 31 persons of other nationalities.

(11) Reported cases of physical assault, harassment and infliction of grave bodily harm: 424

(12) Registered cases of serious threats in Priština: 356

(12) Registered number of private dwellings broken into and forcibly taken occupancy of: 776 in Priština, over 700 in Kosovska Mitrovica, 190 in Gnjilane, 124 in Orahovac and a large number in Kosovo Polje and Lipljan.

(14) Ethnic cleansing: In the campaign of ethnic cleansing following the deployment of KFOR and UNMIK, over 350 000 Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were expelled from Kosovo and Metohija, 270 000 of them Serbs.

The following towns and villages are ethnically cleansed of Serbs, Roma, Muslims, Goranci and other non-Albanians:

Priština (all Serbs have been driven out of its largest suburbs Ulpijana, Sučani Breg, Dardanija, Univerzitetsko naselje), Gnjilane, Uroševac, Prizren (only 100 Serbian families

remain), Djakovica, Peć, Srbica, Podujevo, Vučitrn, Glogovac, as well as the wider areas of Kosovska Mitrovica, Lipljan, Kosovo Polje, from which 80 per cent of Serbian residents were expelled (their homes were burned and looted and the owners of cafes and shops had their property seized, while Albanian terrorists brutalize and maltreat those Serbs who refuse to sell their homes and leave Kosovo and Metohija in the presence of KFOR), the villages in the municipality of Istok; Džakovo, Osojane, Tučepom, Koš, Žač, Belica, Krnjine, Matičane, Kačanik, Štimlje, Kmetovačka Vrbica, the surroundings of Uroševac, Slivovo, Nedakovac, Nevoljane, Vrpica, Lještar, Žegra (municipality of Gnjilane), Žitnje, Požaranje, Grmovo, Drobeš, Kabaš and Binač (municipality of Vitina), the area of Kosovska Kamenica (villages of Bratilovce, Firićeja and others), the area around Vitina and Kosovsko Pomoravlje, as well as the villages of Topličane, Rujice, Magure, Slovinja, Staro Gracko, Klobukar in the municipality of Novo Brdo. (All Serbian houses have been burned down and all its owners forced to leave.)

Members of the terrorist "KLA" exercise particularly strong pressure on the region of Gora populated by an indigenous ethnic group, Goranci, who are not allowed to use their maternal Serbian language in schools and in everyday life, in an attempt to misrepresent this ethnic group as members of Albanian nationality.

In the area of the Istok municipality, expulsion of the Muslim ethnic community, who are loyal citizens of the FR of Yugoslavia, has been particularly intensified.

(15) Destruction of churches, monasteries and cultural monuments:

About 84 churches, monasteries and other cultural monuments were burned down, demolished or seriously damaged, including the following: the Church of the Entrance of Our Lady into the Temple in Dolac, monastery of St. Mark in Koriša from 1467, monastery of St. Kozma and Damjan in Zočište from the 14th century, the church in Kijevo from the 14th century, the Holy Trinity monastery from the 14th century near Mušutište, monastery Devič built in 1440, Church of St. Paraskeva in Drenik from the 16th century, Church of St. Demetrius near Peć, the Orthodox church in Grmovo near Vitina, Church of St. Elijah in Čegra near Gnjilane, church of Holy Mother in Mušutište from 1315, Church of St. Elijah in Bistrižin, Church of Holy Apostles Peter and Paul in Suva Reka, monastery of St. Uroš in Nerodimlje, monastery of Archangel Gabriel from the 14th century in Binač, Church of the Holy Virgin from the 16th century in Belo Polje, Church of St. John the Baptist in Pećka Banja, churches in the villages of Naklo, Vučitrn, Petrovac, Uroševac, Podgorce, Djurakovac, Kruševo, Osojane, Samodreža, Dresna near Klina, Rekovac, Petrič, monastery Binač near Vitina, Holy Trinity Cathedral in Djakovica and St. Nicholas' Church in Gnjilane.

The Orthodox clergy and monks are being terrorized and persecuted. More than 150 parish residences were destroyed or damaged. Over 10,000 icons and other sacral objects, most of which are cultural monuments and landmarks under the special protection of the State, were stolen or destroyed.

Assaults on members of the Catholic religious community by the terrorists of the so-called "KLA" have become more and more frequent in Prizren and Peć, particularly assaults on clergymen (The homes of two Franciscan priests were burned down.).

The following cultural monuments were damaged and demolished:

- statues of the great Serbian lexicographer Vuk Karadžić and of the Montenegrin poet Petar Petrović Njegoš in downtown Priština;

- memorials of King Uroš in Uroševac and King Dušan in Prizren;
- memorial of Prince Lazar in Gnjilane and the memorial of the Serbian rulers from the Nemanjić dynasty in the village of Gornje Nerodimlje.
- memorial of Miloš Obilić, the symbol of the town of Obilić.

Many of the destroyed monuments were unique examples of Serbian cultural heritage and on the list of the monuments of exceptional cultural value under the protection of UNESCO.

(16) Forcible and illegal taking over of public institutions:

- Forcible and illegal takings over of premises and buildings of post offices, banks, medical institutions, water and power supply systems, university, elementary and secondary schools, municipal and other authorities of local administration, local communes, buildings of the Ministry of the Interior and the Army of Yugoslavia, factories, enterprises, cooperatives, etc. in Priština (premises of the Clinical centre "Priština" and the health centre, Federal Customs Administration, Public Housing Company, Institute for Urban Planning, public enterprise "Vodovod", thermal power plant "Kosovo B", depots and petrol stations of "Jugopetrol", shareholding companies "Kosmet-Priština", "Kosovo-Trans", public enterprise "Energoinvest", public enterprise "Autopriština", car shock absorber factory, "Jugotrans", etc.) as well as in Prizren, Dragaš, Podujevo, Lipljan, Štrpci, Kosovska Mitrovica, Kosovo Polje (with the assistance of KFOR), Djakovica (with the assistance of KFOR).

- By forcible and illegal taking over of public enterprises and institutions over 20,000 employed Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were dismissed and left without means of support.

(17) Registered armed attacks on villages: Slovinj, Matičane, Orahovac, Konjuh, Berivojce, Gornja Brnjica, the villages around Kosovska Kamenica: Grnčar, Magila, Ajvalija, all the villages of the Istok-Klina region, Goraždevac near Peć, Svinjare, Klokot, Novo Brdo, Zjum, Donja and Gornja Gušterica, Sušica, Badavac, Bresje, Vrbovac, Vitina, Cernice, (municipality of Gnjilane), Dobruša, Veliko Ropotovo (municipality of Kosovska Kamenica), Parteš, Podgrdje, Mališevo and Pasjane (municipality of Gnjilane), Lještar, Budriga, Dobrotin (municipality of Lipljan), Grnčar, Binač, Ranilug, Šilovo, Odovce, Rajanovce, Bosce,

Čaglavica, Paravolo, Lebane, Gojbulja, Suvo Grlo and Banje (municipality of Srbica), while frequent attacks against the houses of Goranci, Muslims and Albanians, loyal to the FR of Yugoslavia, were attacked in the following villages in the municipality of Gora: Brodosavce, Belobrod and Kukavce.

All Serbian houses in the villages of Donji Livoč, Kmetova Vrbica, Lipovica and Cernice in the municipality of Gnjilane and in the villages of Vaganeš, Gradjenik and Orahovica in the municipality of Kosovska Kamenica, part of Kosovsko Pomoravlje, were set on fire and destroyed by mortars or explosives.

All this runs counter to assertions by KFOR and UNMIK that the terrorist "KLA" has been disarmed.

(18) Sieges of towns and villages: Gadnje, Orahovac and Velika Hoča, Koretin, villages around Gnjilane, Prilužje, Gornja Srbica, Goraždevac. About 3,500 Serb residents of Orahovac have been living for more than eight months since the deployment of KFOR and UNMIK in the first concentration camp in Europe after the Second World War, besieged by the terrorist "KLA".

(19) Armed threats against villages and terror committed on a daily basis against non-Albanians: Ugljari, Srpski Babuš, Štimlje, Novo Selo, Bresje, Obilić, the area around Kosovo Polje, Miloševo (against which the armed attack was carried out), the village of Zebnice (dramatic humanitarian situation), the majority of the mainly Catholic Croatian population who lived in the villages of Letinice, Vrnez, Vrnavo Kolo and Šašare have moved out, Drenovac (50 Serbs massacred), the village of Cernice (a series of incidents in which US KFOR soldiers maltreated Serbs), Požaranje, Gotovuša, Gatnje, Zubin Potok, Veliki Alaš, Vrelo and Radevo, Plemetin and Slatina (municipality of Vučitrn), Crkolez (municipality of Istok), Ogoše - municipality of Kosovska Kamenica (where almost all Roma families have been driven out).

(20) The looted Serbian villages from which the residents were forced out: Mužičani, Slivovo, Orlović, Dragaš, the area around Kosovo Polje, Livadice, Mirovac, Sirinička Župa, Medregovac, Grace, Zočište, Sofalija, Dragoljevac, Tomance, Koretin, Leštar, Donja Šipašnica.

(21) The Serbian neighbourhoods set on fire: Istok, Klina, Donja Lapaštica, Obrandža, Velika Reka, Perane, Lauše, the villages around Podujevo, Grace, Donja Dubica, Zočište, Orahovac, Naklo, Vitomirice, Belo Polje, Kojlovice, Aloš-Topličane, Krajište, Rudnik, Donji Strmac, Goleš (municipality of Lipljan), Orlović (municipality of Priština), Krpimej and Lauša (municipality of Podujevo), Mužičane (all Serbian houses burned down), Zaimovo, Denovac, Lesjane, Gornje and Donje Nerodimlje (all Serbian houses looted and then burned down), Sinaje (municipality of Istok), Balovac, Mali Talinovac, Ljubižda, Klobuka (municipality of Kosovska Kamenica), Zaskok and Novi Miroš (municipality of Uroševac).

(22) Registered number of homes burned down: About 50,000 houses of Serbs, Roma, Muslims, Goranci and other non-Albanians were burned down in Kosovo and Metohija.

(23) Registered number of illegal entries of foreign citizens into the FR of Yugoslavia (Kosovo and Metohija) without necessary papers (visas and registration of stay with the competent authorities): 748

Over 200,000 foreigners have illegally entered the Province with the consent of UNMIK and KFOR. The Government of the FR of Yugoslavia has officially requested their expulsion on several occasions. These requests have not been met, although among those persons are international terrorists, criminals, mafia members, women and child traders, organizers of brothels and other forms of international crime.

(24) Registered number of stolen vehicles: over 12,000

As a result of open borders with Macedonia and Albania 250,000 vehicles were brought into Kosovo and Metohija without payment of customs duties and most of these vehicles were stolen.

(25) Registered number of cases of violation of the ground security zone by KFOR: 266